

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2880 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

- =====
1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
 2. To be referred to the Reporter or not? : YES
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

JITENDRA BHAILAL MEHTA

Versus

GUJARAT WATER RESEARCH DEV. CORPN.

Appearance:

MR YOGESH S LAKHANI for Petitioner
MR PARESH UPADHYAY for Respondent No. 1

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 06/10/2000

ORAL JUDGEMENT :

The present petition is filed challenging the judgement and award dated 22.1.1991, passed by the Labour Court, Rajkot in Reference (LCR) No.1408 of 1984. The operative part of the said award reads as under :

"The applicant, Jitendra B. Mehta is serving elsewhere and therefore, he has waived his relief for reinstatement, but he is held to be entitled for 50% of the back wages for the period commencing from 10th June 1982 to 29th May 1984.

Cost of this Reference, Rs.150/- be paid
by the opponent to the applicant."

2. Learned advocate for the petitioner is not able to satisfy this Court as to how the petitioner can be permitted to press for reliefs as prayed for in par 7 of the petition, more particularly for the relief of reinstatement once he has already waived the said relief as he was serving at some other place.

3. Learned advocate for the respondent corporation, Mr.Paresh Upadhyaya, stated that the corporation has not challenged the award in question. He further stated that he does not have any specific instructions about the compliance of the award. Mr.Upadhyaya further submitted that the award must have been complied with by the corporation.

4. On perusal of the papers, petition is not found to have any merits. Learned advocate for the petitioner is not able to assail the award in question on any grounds.

5. The petition is dismissed. Rule is discharged with no order as to costs.

6th October 2000 (Ravi R. Tripathi, J.)

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